

# CCIA *Speaks*

## MESSAGE FROM THE DIRECTOR

By Kenneth E. Glenn

On several occasions I have been asked my opinion on today's police-community relations. I offer my opinion, reluctantly, as some will agree and some will disagree. CCIA is an independent police civilian oversight agency with a mission to investigate complaints from citizens regarding alleged police misconduct. It is critical to CCIA's mission to remain neutral in all aspects of our interactions with the community and the officers that we are called upon to investigate. CCIA is one of the components that the Collaborative Agreement put in place to help foster better relations between the police and the community. Therefore, I will address that question from two perspectives, (1) what does the complaint data from 2003 to the present indicate? and (2) what is the tone of complainants, witnesses and other citizens that CCIA interact with?

CCIA has seen an approximate 40% decline in our complaint intakes since 2003; therefore, the data speaks for itself. However, there are tangibles that data cannot reflect. Although CCIA has not seen a spike in specific allegations of discrimination complaints, the undertone of citizens making complaints is

mistrust of the police department. Through the leadership of City Manager Milton Dohoney and Police Chief Thomas Streicher, we believe progress has been made toward better police-community relations. However, the work will never end to repair the negative relationship that CPD had with the African-American community. It took years to get to the point of federal intervention and change is not going to come overnight.

Through leadership, training and initiatives like the City Managers Advisory Group, Community Problem Oriented Policing (CPOP), Cincinnati Initiative to Reduce Violence (CIRV), and the problem solving component of the collaborative process, in my opinion, CPD has turned the corner and is headed in the right direction. However, the road ahead remains long and challenging as there is still a perception in the African-American community of biased policing. Studies by the RAND Corporation have confirmed that perception and it must be kept on the front burner and respected by CPD's leadership. The RAND Corporation has issued its fifth year and final report to the City and parties to the Collaborative process.

I cannot overemphasize the importance of this final report as it provides framework for areas that the City, police department and community must continue to address if we are to continue to improve on police-community relations. The entire RAND report is on the CCIA and CPD's websites. Until next time, PEACE!!



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## MESSAGE FROM THE BOARD CHAIR

By Stephen MacConnell

Each year the Citizen Complaint & Internal Audit (CCIA) publishes a Patterns Report. These patterns measure citizen complaints filed excessively, as well as patterns of individual officers and the nature of the offenses with which they are charged. The reason for this tracking of patterns is so that police, the community and the CCIA may discuss methods of mitigating patterns of conflict between citizens and police. The Collaborative Agreement mandated such discussions.

To date, in my opinion, these discussions have been lacking in the area of Excessive Force. More must be done in this delicate area.

Taser use brings to the forefront this need for careful discussion even more, both for the protection of police officers and citizens. On March 9, 2010, the Cincinnati Police Department modified the definition of "actively resisting" to include "fleeing". Prior to this change, fleeing was not defined in writing as justification for deploying the use of the Taser.

This modification by the Cincinnati Police Department would have provided an ideal opportunity to discuss with the CCIA the necessity

of Taser deployment on fleeing suspects. At least, input should be sought from all concerned persons, regardless of the outcome.

The Collaborative Agreement called for collaboration. I hope more in-depth discussions can begin soon based on this principle. It is recognized that this is a difficult and sensitive issue; however, the police, the community and CCIA really are seeking the same things – understanding and a reduction in danger to police officers and citizens.

Let us begin to talk about the difficult issues as shown on the Patterns Report. They will not be solved in this silence.

### QUESTIONS & ANSWERS

Question: Can an officer use a canine to search the outside of my vehicle when I am stopped for a minor traffic violation?

*Answer: An officer can call for a canine unit if they believe there is some type of contraband inside the stopped vehicle. The officer must only detain the citizen for a reasonable amount of time between the stop and the arrival of the canine unit. The court had not specifically given a time frame, but gave a general response. The court gave an example of the (detainment) as the reasonable amount of time as it takes an officer to write the violation(s) of the traffic stop.*





# CONDUCTING AN INTERNAL AUDIT (What We Do)

By Mark Ashworth

## Set the Objectives of the Internal Audit

An internal audit's primary objective is to examine key controls. Internal audits look, too, at whether the organization is getting value for the money spent. Do the systems currently in place achieve this, or do they fail to measure it?

## Lay out a Detailed Audit Strategy

An internal audit examines a variety of aspects of the way in which an organization operates. We do not focus solely on financial issues; in fact our focus is generally on performance and operational efficiencies.

## Background Information is Gathered

We make sure we have all the key background information before we begin. The following are some examples:

- *strategic or business plans for the department, division or program*
- *operational budget*
- *internal procedure manuals*
- *lists of key personnel*
- *an organization chart*

We set an entrance conference meeting so that we can agree on the objectives of the audit. We share with the auditee our plans to meet these objectives.

We agree on a timetable and a plan of action and identify any further information we will need.

## Examine Existing Controls and Field Test

The next stage is to begin looking at detail. We look at the organization's existing procedures for controlling the areas that are being audited. Next, we evaluate how effective the controls are. Could they be improved? Are there any areas in which there are no controls? Choose a number of activities at random, and trace through all the steps that took place in order to test the controls. Then ask:

- *Are the procedures or rules in place?*
- *Did people follow the procedures?*

This will indicate the degree of compliance with the existing rules and procedures.

## Prepare a Report

We draft a report of all the findings with a set of recommendations. Discuss it with everyone who participated in the audit to make sure that we have not misinterpreted any information. We strive to make sure the recommendations are feasible and manageable.

## What are the advantages of an internal audit?

An internal audit offers several advantages:

- *It directs management's attention to the key business issues. The audit analyzes weaknesses in the system of control, and becomes the basis for practical recommendations for improvement.*
- *It gives management confidence when controls are operating satisfactorily.*
- *It identifies opportunities for improving efficiency and effectiveness.*
- *It gives early notice of potential problems, so that management can take action to head them off.*



F.Y.I.

## 12.266 UTILIZATION OF VEHICLE ENTRY



By Dena Brown

### Definition:

Slim-Jim- a metal device which can be slipped between the window and molding of a vehicle's window to unlock the vehicle's door.

### Policy:

Personally owned vehicle entry devices (Slim-Jims) may be carried by on duty personnel to expedite the police mission.

### Information:

Police Officers possessing Slim-Jim tools for opening locked vehicles should be aware that a single type of Slim-Jim will not open all vehicles. This procedure does not preclude the use of a Slim-Jim to execute a search warrant.

### Procedure:

A. Police Officers may utilize Slim-Jim devices in the following circumstances:

1. To facilitate the removal of an auto that is blocking traffic or causing a hazard.
2. Protection of life or property; (e.g., small child locked in auto).
3. Conditions exist that the use of a Slim-Jim device would expedite the police mission. Some conditions to be considered include but are not limited to:

*Destitute nature of vehicle's driver*  
*Lateness of the hour*

*Location of occurrence*

*A lack of alternative assistance*

*Possible threat to vehicle/driver's safety*

B. Police Officers utilizing the Slim-Jims to open autos, under the above circumstances, will first determine that the requesting person is the owner of the vehicle or legally entitled to entry.

C. Police Communications (PCS) will not dispatch police units to utilize Slim-Jim devices except in the circumstances described in A.2

Q. Will the police respond if I locked my keys in my car and at the grocery store?

A. No

Q. Will the police respond if I ran into the gas station store and left my infant child in the car and locked my keys inside?

A. Yes

## DID YOU KNOW?

By David Moonitz

In 1898, along the Cincinnati waterfront, an area known as Rat Row, CPD officers found an abandoned, scruffy mutt puppy. He was taken to the station and raised by the officers. He was named Handsome. He began patrolling with officers and during his lifetime assisted in hundreds of arrests. When he died in 1912, Officer Jim O'Neill had him stuffed and encased in glass. Handsome is currently displayed in the PDD Historical Museum. Although unofficial, he is considered CPD's first canine unit.



Handsome the stuffed police dog.

## CPD USE OF FORCE COMPARATIVE ANALYSIS

Use of Force Incidents:	2010	2009	Increase(+)/Decrease(-)
<b>Weapons Discharge:</b>			
Police Intervention	0	0	0
At Animal	1	1	0
Accidental Discharge	0	0	0
<b>Less Than Lethal Discharges:</b>			
Beanbag	0	0	0
40MM	0	0	0
Canine Bites	8	2	+300%
Monadnock PR24/Baton	0	0	0
<b>Non-Lethal Weapons:</b>			
TASER	53	79	-33%
Pepperball	0	0	0
Chemical Irritant	3	2	+50%
<b>Empty Hand Control:</b>			
Strikes (palm heels, knee, etc.)	6	2	+200%
Non-Compliant (Leverage Displacement, Pain Compliance, Non-Injury, etc.)	25	40	-37%
<b>Injuries:</b>			
Drug Ingestion	5	6	-17%
Non-Drug Ingestion	18	30	-40%
<b>Total Use of Force Incidents</b>	<b>119</b>	<b>162</b>	<b>-27%</b>

Data received from CPD

## 1st QUARTER STATISTICS

CCIA shows statistical data from the previous quarter. This allows CCIA investigators to fully complete investigations and forward our findings and recommendations to the board and the City Manager for final determination.

First quarter (October - December) of 2010, CCIA reviewed 69 complaints (cases). 48 were referred to CPD's Citizen Complaint Resolution Process (CCRP). 17 cases were investigated by CCIA containing 24 allegations and 4 were non-jurisdiction. The allegations for CCIA's investigations are listed in [Table 1](#).

Table 1:

Allegation Type	Total #
Use of Force/Excessive/Physical	9
Discrimination	3
TASER	2
Improper Search(Vehicle/Person)	3
Improper Procedure	3
Discharging a Firearm	4
<b>TOTAL ALLEGATIONS</b>	<b>24</b>

Table 2:

Recommended Disposition	Total #
Sustained	5
Not Sustained	14
Exonerated	3
Unfounded	2
<b>TOTAL DISPOSITIONS</b>	<b>24</b>



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The findings for the 24 allegations are listed in [Table 2](#). The City Manager agreed with 21 of the director's findings, and 3 are pending. The board agreed with all 24 of the director's findings.

The neighborhoods where the 17 complaints occurred, and were investigated by CCIA, are listed in [Table 3](#).

Table 3:

Complaints by Neighborhood Investigated by CCA		
District 1	CBD Riverfront	5
	Over the Rhine	-
	Pendleton	-
District 2	Madison	-
	Mt. Adams	-
	Hyde Park	-
	Evanston	1
District 3	East Price Hill	1
	South Fairmount	-
	Lower Price Hill	1
	Price Hill	-
	East Westwood	-
	South Cumminsville	-
District 4	Westwood	1
	Avondale	2
	Bond Hill	1
	Walnut Hills	-
District 5	Hartwell	1
	Unknown	1
	Clifton	1
	Clifton/University Heights	-
	College Hill	-
	Mt. Airy	-
	Northside	1
	Winton Hills	1
<b>TOTAL COMPLAINTS</b>		<b>17</b>

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